

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWELFTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 9432 of 2004

Between:

M/s Sarada Agro Oils Ltd., Plot No.655, Satamraj
Gagan Pahad Rangareddy District, rep.by its Director Sri Jagadish Sarada

..... PETITIONER

AND

- 1 The Deputy Commissioner Customs & Central Excise
Customs House Kakinada - 533 007 (AP)
- 2 The Registrar Customs, Excise and Service Tax, Appellate Tribunal 1st Floor,
WTC Building, FKCCI Complex, K.G.Road, Bangalore

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of a writ of mandamus, calling for records pertaining to stay order No.165 to 170 of 2004 the order Dt.18/02/2004 and confirmed by Mic.No.265 - 270 of 2004 order Dt.12/05/2004 passed in Appeal No.C/288/2003 before the 2nd respondent and to set aside the same and to stay the operation of the Commissioner (appeals) order in Appeal No.13/2003 Dt.30/06/2003 till disposal of the Appeal No.C/288/2003 before the

Hon'ble 2nd respondent.

Counsel for the Petitioner:M/S.MOHAN VINOD & ASSOCIATES, Advocates.

**Counsel for the Respondents : MR.A.RAJASHEKAR REDDY (SC FOR CG)
FOR RMAPP.**

The Court made the following :

ORDER : (Per Sri Bilal Nazki, J).

The petitioner has challenged a provisional assessment order, which is appealable. We do not consider this case to be a fit case where this Court should intervene when an effective alternate remedy is available. For this reason, we dismiss the Writ Petition. Petitioner is at liberty to seek redressal of his grievance by filing an appeal within a period of six weeks from today. No costs.

(BILAL NAZKI, J)

12th August, 2004.

(S.ANANDA REDDY, J)

ajr.

To

1 The Deputy Commissioner Customs & Central Excise, Customs House

Kakinada - 533 007 (AP).

2 The Registrar Customs, Excise and Service Tax, Appellate Tribunal 1st Floor,

WTC Building, FKCCI Complex, K.G.Road, Bangalore

3 Two C.D. copies.